

**Testimony Regarding PA 14 of 2003 to the
Joint Senate Natural Resources and Environmental Affairs and House Natural
Resources, Great Lakes, Land Use, and Environment Committees
Senator Patricia Birkholz, Chair
Representative David Palsrok, Chair**

Presented by
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Introduction

Good afternoon Madame Chairperson Birkholz and Chairman Palsrok and Committee Members. Thank you for the opportunity to present testimony today regarding PA 14 of 2003.

My name is Jennifer McKay. I am pleased to be here today on behalf of the board, staff, and over 2,000 members of the Tip of the Mitt Watershed Council.

As a means of introduction, the Tip of the Mitt Watershed Council was founded in 1979, the same year Michigan's wetland act was passed. The Watershed Council is a nonprofit organization whose purpose is to protect, restore, and enhance water resources, including inland lakes, rivers, wetlands, groundwater, and the Great Lakes shoreline. We base all our programs on sound science and policy analysis, and have garnered respect for our work from local, state, and federal agencies, businesses, fellow environmental organizations, and citizens.

The Importance of Great Lakes Coastal Wetlands

When re-evaluating PA 14, I think it is important to remind ourselves of the natural cycles of the Great Lakes and the crucial role that vegetated exposed bottomlands (also known as Great Lakes coastal wetlands) play in the health of the Great Lakes.

A Dynamic Ecosystem

Great Lakes coastal wetlands are different than inland wetlands because they are influenced by large lake processes including waves, wind-driven "tides" or seiches, and especially the seasonal and long-term fluctuations of Great Lakes water levels. During low water periods, like those we are currently experiencing on Lake Michigan and Lake Huron, nearshore areas of the Great Lakes typically under water are exposed. Vegetation growth naturally increases on exposed wetlands during low water years.

Across the Great Lakes, an estimated two-thirds of coastal wetlands have been dredged, drained, or converted to other uses since pre-settlement times. The remaining coastal wetlands provide untold functions and values, and are ecologically indispensable.

Values of Coastal Wetlands

Great Lakes coastal wetlands are considered to be some of the most valuable ecological areas in the Great Lakes and are critical to the Great Lakes ecosystem as a whole. The dynamic nature of the Great Lakes contributes to the ecological functions of these vegetated bottomlands. Throughout the cycle, if left unhampered, coastal wetlands provide a range of important functions, including:

Fish and Wildlife Habitat

Coastal wetland systems support diverse assemblages of invertebrates, fish, reptiles, amphibians, birds, and mammals. In a study published in 1987, T. H. Whillans determined that over 90 percent of the roughly 200 fish species that occur in the Great Lakes are dependent on coastal wetlands for some part of their life cycle. Important game fish like lake sturgeon, largemouth bass, muskellunge, northern pike, walleye, and yellow perch all utilize coastal wetlands. In terms of bird life, coastal wetlands are very important for ducks and geese, shorebirds, wading birds, and neotropical migrants.

Barrier to Shoreline Erosion

In their natural condition, coastal marshes function as a barrier to erosion. Wetland vegetation along shorelines reduces erosion by dampening wave action and slowing current speed. The root systems of wetland plants stabilize soil at the water's edge and enhance soil accumulation at the shoreline. Even in places where high water levels will eventually remove wetland vegetation, the vegetation will have served a valuable function in slowing erosion, and the seed bank and dormant root systems will be ready to spring back during the next low water cycle.

Water Quality Protection

The vegetation that grows up in the exposed bottomlands helps to protect water quality by taking up polluting nutrients that could otherwise be used by unwanted algae.

Commercial Activity - Hunting, Fishing, Bird Watching, etc.

The biological productivity of Great Lakes coastal wetlands drives the economic engines of the multi-billion dollar hunting, sport fishing, and bird watching industries along coastal communities. In addition, coastal wetlands are important to the success of the commercial fishing industry. Although much attention has been paid to the concerns of beach-front hotel owners, these other commercial interests, those that rely on the health of the Great Lakes coastal wetland systems, must be considered and protected.

Importance of Great Lakes Coastal Wetlands from a National Perspective

The ecological and economic importance of intact Great Lakes coastal wetlands goes far beyond benefiting Michigan. Indicators of this include the inclusion of the need to restore these systems in recent federal legislation. For example, both the House and Senate version of pending federal Great Lakes restoration bills (which could bring billions into

the Great Lakes region) specifically mention the importance of restoring coastal wetlands.

PA 14 also creates problems for the federal legislators, Great Lakes governors, private businesses, and non-governmental organizations seeking to secure significant funding for a Great Lakes restoration initiative. Michigan, strategically located in the heart of the Great Lakes, has the most to gain (and the most to lose) in regards to Great Lakes restoration and protection. PA 14, by essentially encouraging degradation of coastal wetland systems, makes it hard to argue that Michigan is a deserving recipient of billions to restore and protect our coastal systems.

Assessment of PA 14

To some, the law may seem innocuous beach grooming sounds benign. However, when you consider that vegetation that grows on exposed bottomlands is the key to the biological and ecological functions of coastal wetlands then by definition, vegetation clearing and mechanized grooming facilitated by PA 14 will impact the functions and values of Great Lakes coastal wetlands.

Given the dynamic nature of the Great Lakes, and the important ecological functions that coastal wetlands provide, the Tip of the Mitt Watershed Council was opposed to the legislation that became PA 14. The recent DEQ report, based upon the findings from research by leading scientists, validates the Watershed Council's position that vegetation removal and beach grooming activities have substantial and long-lasting adverse impacts upon our Great Lakes coastal wetlands. Therefore, we remain opposed to the damaging provisions of PA 14 and encourage the legislature to allow the sunsets to occur as scheduled in law.

Given the importance of these resources and based upon the recent research, we feel that it is essential that the DEQ review each proposal to groom bottomland on a case-by-case basis. One of the shortcomings of this law is that several activities that deserve regulatory review receive no review whatsoever at the state level.

The Future of Bottomland Grooming in Michigan

The passage of PA 14 opened the door in Michigan to an erosion of the protections granted to our most treasured water bodies - the Great Lakes

For our part, the Watershed Council is committed to providing information to shoreline property owners regarding the impacts of beach maintenance and vegetation removal.

After the law was signed by the Governor, the Watershed Council, with over a dozen partners, launched a campaign to encourage shoreline property owners to consider the functions and values of coastal wetlands before engaging in grooming activities. Our goal was to encourage stewardship of the dynamic and valuable coastal systems. We sent three items, ("Protecting Wetlands along the Great Lakes Shoreline" (MSUE Bulletin #E-2751), "Be a Great Lakes Steward!" (A brochure meant to clarify the changes to state law and dispel myths about bottomlands), and "Rhythms of the Shores" (a reprinted article

from Traverse, Northern Michigan's Magazine) to approximately 7,500 shoreline property owners in Saginaw and Grand Traverse Bays. I've included copies of these publications in your packet.

We also plan to send out another brochure to shoreline property owners this summer. Since the actions of private landowners can have a dramatic impact on the ecological functions of coastal wetlands, there is a great need to provide technically-sound information to private landowners along the Great Lakes shorelines about the importance of coastal wetlands and the detrimental consequences of grooming the bottomlands so they are able to make informed choices about their shoreline management activities. By providing accurate information based on sound and thorough research regarding the functions and values of coastal wetlands and the implications to the overall health of the Great Lakes, shoreline property owners will be aware of the problems associated with bottomland grooming activities and, therefore, we hope will be less likely to pursue them.

Conclusion

As an organization supported in large part by shoreline property owners, I can empathize with the perspective that vegetation growing in the exposed bottomlands is an inconvenience. However, when considering the dynamic nature of the Great Lakes and the importance of the coastal wetlands that are formed during low water levels, it is obvious that these resources deserve protection. Although I understand your interest in addressing the concerns of the group of advocates promoting bottomland grooming, I urge you to consider the larger picture...not only that of short and long term ecological impacts, but the interests of other property owners and commercial entities, as well as the 40 million people who rely in the Great Lakes for their drinking water, jobs, or recreational activities.

Although we would love to see PA 14 repealed, I realize that is unlikely to happen. Short of that, we recommend that you allow the provisions of PA 14 to sunset as scheduled by law.

On behalf of the board, staff, and members of Tip of the Mitt Watershed Council, Thank you for the opportunity to share these thoughts with you.